
By: Delegate Getty

Introduced and read first time: February 1, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Recounts**

3 FOR the purpose of authorizing recounts in general or special elections; and generally
4 relating to recounts in general or special elections.

5 BY repealing and reenacting, with amendments,

6 Article 33 - Election Code

7 Section 13-1, 13-3, and 13-7 to be under the amended subtitle "Contested

8 Nominations at Elections"

9 Annotated Code of Maryland

10 (1993 Replacement Volume and 1995 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 33 - Election Code**

14 Contested Nominations at [Primary] Elections

15 13-1.

16 Within ten days after the day of any primary, GENERAL, OR SPECIAL election, or

17 within two days after the results of the canvass are declared official, any candidate for a

18 nomination or for delegate to any convention or for member of a central committee or

19 position who has been defeated on the face of the returns may petition the board for an

20 appeal from and review of the action and decision of the judges in counting the ballots

21 and for a recanvass and recount of the ballots cast in any or all of the precincts of any

22 county or Baltimore City or ward or legislative district or political division therein. If the

23 candidate was a candidate for a State office or for Congress or for judge he may petition

24 for said recount in two or more counties or legislative districts or wards or precincts of

25 Baltimore City simultaneously.

26 13-3.

27 The boards shall have jurisdiction and power to hear and determine any appeals, to

28 review and correct the action of the judges in their respective jurisdictions and to

29 recanvass, recount and certify the result of any primary, GENERAL, OR SPECIAL election.

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1 For all the purposes of the review, recount and recanvass, the board shall act as and be
2 judges for the counting of ballots, within their respective geographical jurisdictions.

3 13-7.

4 (a) Whenever any review, recount and recanvass is completed, the board shall
5 correct the returns and certificates which may have been made of the primary, GENERAL,
6 OR SPECIAL election by any canvassing board.

7 (b) When a petition and affidavit or affidavits and bond for recounting are filed
8 before the completion of any canvass by the canvassing board of any county or
9 municipality thereof, such board shall complete its canvass of the original returns from
10 each polling place but shall then recess until the recount and recanvass herein provided
11 for is completed. Thereupon the board shall make its certificate conform to the action
12 and finding and to the certificate given by the board sitting as judges on the recount or
13 counterappeal.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1996.